

TENNESSEE GENERAL ASSEMBLY  
FISCAL REVIEW COMMITTEE



**FISCAL NOTE**

**HB 206 - SB 312**

February 25, 2015

**SUMMARY OF BILL:** Adds exceptions to the definition of “explosive weapon” covering blank ammunition intended for nonlethal use, practice rounds intended for nonlethal use including rounds that contain small amounts of explosive materials, other ammunition possessed for nonlethal use or recreational purposes, and other items owned, possessed, or used in accordance with federal law.

Redefines “machine gun” to mean firearms capable of shooting more than two sequential shots automatically rather than just two shots automatically.

Redefines “restricted firearm ammunition” to exclude blank ammunition or ammunition designed and used primarily as a practice or dummy round.

Creates a defense to prosecution if the person acquired or possessed any item or accessory in accordance with the National Firearms Act.

**ESTIMATED FISCAL IMPACT:**

**NOT SIGNIFICANT**

Assumptions:

- Under current law, an “explosive weapon” must be designed, made, or adapted for the purpose of inflicting serious bodily injury, death, or substantial property damage.
- It is assumed that blank ammunition and practice rounds are not designed, made, or adapted for the purpose of inflicting serious bodily injury, death, or substantial property damage. It is further assumed that blank ammunition and practice rounds are not currently being prosecuted as explosive weapons.
- Under current law, “restricted firearm ammunition,” by definition, contains a bullet. It is assumed that most blank ammunitions do not contain a bullet. It is further assumed that blank ammunitions are not currently being prosecuted as restricted firearm ammunition.
- While practice or dummy rounds could contain bullets, and therefore be covered by the current definition, there has only been one admission related to restrictive firearm ammunition in the last 10 years. It is assumed that exempting practice and dummy rounds will not significantly impact state incarceration costs.
- It is assumed that creating the defense to prosecution under Tenn. Code. Ann. § 39-17-1302 will not significantly reduce the number of convictions.

- The Department of Correction, the District Attorneys General Conference, the District Public Defenders Conference, and the Administrative Office of the Courts confirm that the bill will not significantly impact their operations so as to require any additional appropriations.

**CERTIFICATION:**

The information contained herein is true and correct to the best of my knowledge.

A handwritten signature in dark ink, reading "Jeffrey L. Spalding". The signature is fluid and cursive, with the first name "Jeffrey" and last name "Spalding" clearly legible.

Jeffrey L. Spalding, Executive Director

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